FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT ORIGINAL/SUBSTITUTE/SUPPLEMENTAL **DECLARATIONS**

RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PW **FORM**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name

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		the specific	ation of whi	ich (CHECK applica	able BOX(ES))			*		
3003	a ^	A. 🔲 is att	ached heret	to.						
•	BOX(ES)	→ B. 🛛	was filed or	September J	9_, 2003	as U.S. Application	No. 1 <u>0/6</u>	565,977		
		→ C. 📋	was filed as	PCT Internatio	nal Applicatio	n No. PCT//		On		
	and (if applica	able to U.S	or PCI ap	plication) was ame	nded on					
DERE	foreign priority to Application which certificate, or Po	benefits unde ch designate CT Internation	er 35 U.S.C. ed at least one onal Application	se all information know 119(a)-(d) or 365(b) of sother country than th on, filed by me or my a	vn to me to be mater any foreign applicat e United States, liste assignee disclosing t	fied specification, includ ial to patentability as def ion(s) for patent or inver ed below and have also i he subject matter claime ling date of this applicati	ined in 37 C.I ntor's certificat identified belo ed in this appli	F.R. 1.56. Excepte, or 365(a) of a	ot as noted below iny PCT Internation	, I hereby cl
	PRIOR FORE					Date first Laid		Date Patented		
	Number		ountry		TH/Year Filed	open or Publ	ished <u>.</u>	or Granted		IOT Claim
										
	PCT internation application is in	below, I her al application addition to the	reby claim do ns listed abov hat disclosed	e or below and, it this in such prior applicati	under 35 U.S.C. 119 is a continuation-in- ons. I acknowledge	P(e) or 120 and/or 365(c) part (CIP) application, in the duty to disclose all in	nsofar as the	subject matter di	sclosed and clain	ned in this
	application:	.F.H. 1.56 WT	iich became a	ROVISIONAL AND	filing date of each s	uch prior application and	the national	or PCT internation	onal filing date of	this
	Application N	lo. (series	code/seria		/MONTH/Year Fil			<u>atus</u> ndoned, pater	Priority N	IOT Claim
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FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT ORIGINAL/SUBSTITUTE/SUPPLEMENTAL DECLARATIONS

RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION FUNITED STATES PATENT AND TRADEMARY OFFICE

PW FORM

DECLARATIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I hallow I am the original first and sale inventor (if plus a page of the low) or an original first and sale inventor (if plus a page of the low) or an original first and sale inventor (if plus a page of the low).

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	Alexander (Charles	White		
		First	Middle Initial	198	j	Family Name
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(5) INVENTORS	Jesse	· · · · · · · · · · · · · · · · · · ·		Thomas	Date:	
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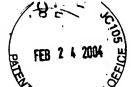
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Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b) PATENT AND TRADEMARK CASES - RULES OF PRACTICE DUTY OF DISCLOSURE

(a) ...Each individual associated with the filing and prosecution of a patent application has a dity of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose the Office all information known to that individual to be material to patentability...(b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

PATENT LAWS 35 U.S.C.

§102. Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months* before the filing of the application in the United States, or
- (e) the invention was described in
 - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
 - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a); or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) (1) during the course of an interference conducted under section 135 or section 291, another inventor involved therein establishes, to the extent permitted in section 104, that before such person's invention thereof the invention was made by such other inventor and not abandoned, suppressed, or concealed, or
 - before such person's invention thereof, the invention was made in this country by another inventor who had not abandoned, suppressed, or concealed it. In determining priority of invention under this subsection there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

§103. Condition for patentability; non-obvious subject matter

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. . . .
- (c) Subject matter developed by another person, which qualified as prior art only under one or more of subsections (e), (f) and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

FEB 2 & 200M

^{*} Six months for Design Applications (35 U.S.C. 172).